

EXHIBIT 46

From: Hubbard, Carolyn (OMB) [HubbardC@omb.nyc.gov]
Sent: 11/12/2019 10:40:03 AM
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Subject: PAR Compliance
Attachments: Hiring and Compensation Memo to Agency Heads FINAL.PDF; Hard-to-Recruit List PDF July 2019.pdf; PAR Hiring Rate Compliance _Nov.pdf

Good Morning DOB,

Attached you will find FDM Fuliehan's City Personnel Policies and Procedures memo from March 25, 2019, the Oct. 31, 2019 PAR compliance memo from First Deputy Budget Director Kenneth Godiner, and the Hard to Recruit list from DCAS reinforcing the City's hiring rate policies.

Please review FDM Fuliehan's memo, specifically the following items:

Employees covered by a collective bargaining agreement with a salary range for the applicable title should be compensated as follows:

- Employees in the first two years of City service should be paid the applicable "new hire" salary;
- Employees with more than two years of City service should be paid the applicable "incumbent minimum" salary. In this case, "incumbent" means at least two years of City service, not the previous employee's compensation.

OMB First Deputy Director Ken Godiner's memo lays out the procedures for requesting exceptions and enforcing PAR compliance. Going forward, **any exceptions** must be approved in writing by both OLR and OMB, and any requests concerning a waiver should be directed to OLR First Deputy Commissioner Steven Banks and OMB First Deputy Director Ken Godiner. Please send **all** requests for an exception to Steve Banks, First Deputy Commissioner and General Counsel of the Office of Labor Relations (sbanks@olr.nyc.gov) and First Deputy Budget Director Kenneth Godiner (godinerk@omb.nyc.gov) directly. Also, please copy the following people on all of these correspondences:

- Chelsea Cipriano - CiprianoC@omb.nyc.gov
- Kerry Gao - GaoK@omb.nyc.gov
- Unit Head, Aram Weitzman - WeitzmanA@omb.nyc.gov
- Supervising Analyst, Carolyn Hubbard - HubbardC@omb.nyc.gov

For civil service titles with different level assignments, please provide the level assignment so we can provide that info in our OBR justifications. It is strongly recommend that all salaries align with guidelines before extending job offers. PARs with names attached may be denied until they are brought in at the minimum rate.

Civil Service requests and blanket PARs, will be granted with the explicit understanding from agencies that they will hire at the appropriate contractual rate.

The only other exception to the ones listed in First Deputy Director Ken Gardiner's memo will be for PARs:

- where the offer was submitted to OMB in NYCAPS prior to October 31, 2019, and
- the person is on-boarded by November 25, 2019

The PARs recently submitted for November will need to be resubmitted and where there are exceptions they will need to be sent directly to Ken Gardiner and Steve Banks.

Lastly, as explained in First Deputy Director Ken Gardiner's memo there will be periodic audits to ensure that agencies are complying with the respective collective bargaining agreements and City hiring rate policies.

Please let me know if you have questions or need clarification on any item.

Regards,
Carolyn

Carolyn Hubbard

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